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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,521	08/01/2001	Takeshi Fujita	450100-03403	6357

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NEW YORK, NY 10151

EXAMINER

FELTEN, DANIEL S

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/920,521

Applicant(s)

FUJITA ET AL.

Examiner

Daniel S Felten

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 01 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hess et al (US 6,415,320) in view of Goyal et al (US 6,466,917).

Hess discloses a method of conducting a network auction (see Hess, Abstract), as in claims 1,2 and 7, displaying information 650 (picture URL) pertaining to an auction exhibit item which is registered in a network auction server (see Hess, Abstract, figs. 6B, 9A, 9B, 10; col. 6, ll. 51+),

as in claims 1, 2, 3 notifying an updated transaction price (current bid price) to the bidder client when a transaction price changes from a price at its bidding by auction (see Hess, fig. 9, col. 9, ll. 41-67),

as in claims 3-6 and 8 registering said image information in the network auction server (see Hess, col. 6, ll. 51+)

as in claims 2, 3, 5, 6, 8, creating an information image, which combines image information pertaining to an auction exhibit item and a related information

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which establishes a communication with a network auction server via a manipulation of an operator in accordance with said image information as a single handling unit, when registering said image information pertaining to said auction exhibit item of said network auction server (see Hess, fig. 6B, col. 5, ll. 20+; and col. 6, ll. 51+)

as in claims 9 and 10, a recording medium which stores a program for a computer to execute said computer functioning as the network auction server (see Hess, col. 3, ll. 43+),

Hess discloses a seller ID (see col. 7, ll. 10+), but fails to disclose as in claims 1-5 and 7, recording an identification (ID) code of said bidder client when said bidder client requests a notification of the information pertaining to said auction exhibit item.

Goyal discloses a verification process recording an identification (ID) code of said bidder client when said bidder client requests a notification of the information pertaining to said auction exhibit item. (see Goyal, fig. 5, col. 4, ll. 29+).

It would have been obvious for an artisan of ordinary skill in the art at the time of the invention to integrate the security features for a bidder participant in Goyal into Hess because an artisan would have sought to prevent erroneous bids as well as fraudulent bidders from participating in the auction of items. Thus to Goyal's invention would also represent an obvious an alternative to the bidder ID code using the aforementioned reasoning and thus considered a modification to Hess which is well within the ordinary skill in the art.

Conclusion

3. A list of relevant prior art appears below not relied upon in this Office Action:

US Patents:

Hess et al (US 6,058, 417) discloses information presentation and management in a online trading environment

Carlton-Foss (US 6,647,373) discloses a method and system for processing and transmitting electronic reverse auction information

Godin et al (US 5,890,138) computer auction system

Fisher et al (US 5,835,896) discloses method and system for processing and transmitting electronic auction information

Atalla (US 5,960,086) discloses unified end-to-end security methods and systems for operating on insecure networks

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S Felten whose telephone number is (703) 305-0724. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DSF
August 17, 2004

Daniel S Felten
Examiner
Art Unit 3624



VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600